

Appl. No. 09/775,536  
Amdt. Dated April 22, 2004  
Reply to Office Action of January 22, 2004

Attorney Docket No. 81754.0051  
Customer No.: 26021

### **REMARKS/ARGUMENTS**

In response to the Office Action dated January 22, 2004, claims 6-9 are amended, and claims 3, 4, 13, 14, 16, and 17 are canceled without prejudice, waiver, or disclaimer to the subject matter contained therein. Claims 1, 2, 5, 6-12, and 15 remain in the application. It is not the Applicants' intent to surrender any equivalents because of the amendments or arguments made herein. Reexamination and reconsideration of the application are respectfully requested.

#### **Election/Restriction**

On page 2 of the Office Action, Applicants' election of species A was acknowledge, and claims 3, 4, 6, 8, 9, 13, 14, 16, and 17 were withdrawn from consideration as being drawn to a non-elected species.

Applicant has canceled the non-elected claims without prejudice, waiver, or disclaimer to the subject matter therein to expedite the prosecution of the remaining claims in the application. Applicant has also amended claims dependent on the canceled claims to expedite the prosecution of those claims.

#### **Objections to the Specification**

On page 2 of the Office Action, the title was objected to as not being descriptive.

The Applicants thank the Examiner for the helpful comments and have amended the title in accordance with the comments. The Applicants respectfully request that the objection be withdrawn.

Appl. No. 09/775,536  
Amdt. Dated April 22, 2004  
Reply to Office Action of January 22, 2004

Attorney Docket No. 81754.0051  
Customer No.: 26021

#### Non-Art-Based Rejections

On page 2 of the Office Action, claim 7 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

Applicants have amended the claim to overcome the rejection. Applicant believes that any amendments made under this section merely clarify the claim language, and do not surrender any equivalents because of such amendments. It is not Applicant's intent to surrender any equivalents due to amendments made which may touch upon these rejections.

#### Art-Based Rejections

On page 3 of the Office Action, claims 1, 2, 5, 6, 12, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenberg, USPN 6,363,357, and claims 7, 8, 9, 10, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenberg, USPN 6,363,357, and further in view of McAuliffe, USPN 5,838,790.

The Applicant respectfully traverses the rejections, however, in order to expedite prosecution, the Applicants have amended the claims. The Applicants respectfully submit that the claims are patentable in light of the amendments above and the arguments below.

#### The Rosenberg Reference

The Rosenberg reference discloses a method and apparatus for providing authorization to make multiple copies of copyright protected products purchased in an online commercial transaction. The broker computer 132 then calculates a

Appl. No. 09/775,536  
Amdt. Dated April 22, 2004  
Reply to Office Action of January 22, 2004

Attorney Docket No. 81754.0051  
Customer No.: 26021

Message Authorization Code (MAC) in the same manner that the merchant 106 calculated the MAC contained in the header 202 using the merchant specific data residing in the merchant data base 160 (merchant key Km obtained by correlation to merchant ID in purchase request) together with the other information needed to calculate the MAC and contained in the header 202. If the broker calculated MAC matches the MAC in the header, verification that the header 202 information is actually that of the merchant 106 occurs. Thus if an unscrupulous buyer attempted to change, for example, the price in the header 202, a MAC match would not occur and the transaction would be terminated. Therefore, a reliable price check mechanism is incorporated in the online payment system 100. See Col. 7, lines 39-53.

#### The McAuliffe Reference

The McAuliffe reference discloses an advertisement authentication system in which advertisements are downloaded for off-line display.

#### The Claims are Patentable over the Cited Reference

The claims of the present invention describe management methods for receiving orders. A method in accordance with the present invention comprises transmitting a Web page having a program for calculating a quotation added thereto to a receiving terminal operated by a user through a network, when a result of a calculated quotation on the receiving terminal is returned to the server, conducting an analysis of the result of the calculated quotation on the server, and when a determination is made based on a result of the analysis that the result of calculated quotation is appropriate, executing a process to validate the quotation.

The cited references do not teach nor suggest the limitations of the claims of the present invention. Specifically, the cited references do not teach nor suggest at least the limitation of a Web page having a program for calculating a quotation added thereto to a receiving terminal operated by a user through a network as recited in the claims of the present invention.

The Rosenberg reference uses a Message Authentication Code (MAC), located in the header of a message, to make sure that the broker computer, the buyer's computer, and the merchant's computer all compute the same price, to prevent buyers from changing the price of the item in question. See Rosenberg, Col. 7, lines 39-53. However, the program for calculating a quotation added to the web page is not part of any web page, or the header, and certainly not any web page or header sent to a receiving terminal operated by a user. Instead, the MAC data, initially, is used only by the broker computer, not by the buyer, and second, the broker computer uses information not contained in the web page to calculate the price, i.e., merchant ID, merchant key Km obtained by correlation and not by web page, etc.

As such, Rosenberg does not teach nor suggest the limitations of the present invention. The ancillary McAuliffe reference does not remedy the deficiencies of the Rosenberg reference, namely, neither the Rosenberg nor the McAuliffe references, alone or in any combination, teach nor suggest at least the limitation of a Web page having a program for calculating a quotation added thereto to a receiving terminal operated by a user through a network as recited in the claims of the present invention.

Thus, it is submitted that independent claims 1, 5, 12, and 15 are patentable over the cited references. Claims 2 and 6-11 are also patentable over the cited references, not only because they contain all of the limitations of the independent

Appl. No. 09/775,536  
Amdt. Dated April 22, 2004  
Reply to Office Action of January 22, 2004

Attorney Docket No. 81754.0051  
Customer No.: 26021

claim1, but because claims 2 and 6-11 also describe additional novel elements and features that are not described in the prior art.

Conclusion

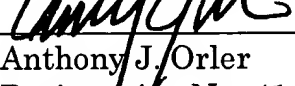
In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6742 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

Date: April 22, 2004

By:   
Anthony J. Orler  
Registration No. 41,232  
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900  
Los Angeles, California 90071  
Phone: 213-337-6700  
Fax: 213-337-6701